



**Office of the General Counsel
FOIA Requester Service Center**

February 2, 2023

Ms. Sarah C. Reida
Legal Meets Practical, LLC
2475 Northwinds Parkway, Suite 200
Alpharetta, GA 30009

Dear Ms. Reida:

This letter responds to your U.S. General Services Administration ("GSA") Freedom of Information Act ("FOIA") requests: (1) GSA-2022-000938, which was submitted on April 21, 2022; and (2) GSA-2023-000183, which was submitted on October 31, 2022.

Records Sought

The first request (GSA-2022-000938) was submitted on behalf of Proximity Electronic Commerce, LLC ("Proximity") and seeks "any memoranda prepared by the U.S. General Services Administration identifying security risks in the Sam.gov database which justified or supported the December 3, 2019 decision via email by the Information System Security Officer to redact email addresses and phone numbers from the monthly public extract available on Sam.gov," as well as "the options as presented to the Information Systems Security Officer when he made this decision."

The second request (GSA-2023-000183) was also submitted on behalf of Proximity and seeks "the most current available non-public extract of the extract listing of all Sam.gov registrants which is currently available on/downloadable from the Sam.gov website and updated regularly (to Proximity's knowledge, on a monthly basis)." The request indicates that Proximity is particularly interested in obtaining the "business contact name, business phone number, and business email address of each [SAM.gov] registrant." And, in the event that GSA does not provide the non-public extract, the request seeks "any internal memoranda or other documentation prepared by GSA contemporaneously with its decision to delete these three fields (business contact name, business phone number, business email) from the public extract and which discusses the rationale for this decision. Such memoranda or documentation would be dated no earlier than August of 2021."

On December 16, 2022, you provided clarification, noting that any memoranda sought across the two FOIA requests is the same—namely, "any memoranda used or relied upon in the GSA deciding to remove data from the SAM.gov public extract."

As to each category of records, custodians of any potential records conducted a search that was reasonably calculated to uncover responsive records.

Category 1: Memoranda

GSA did not locate any records responsive to the request for “any memoranda used or relied upon in the GSA deciding to remove data from the SAM.gov public extract.”

Because GSA did not locate any responsive records, this does not constitute a denial of the request for memoranda. However, you have the right to appeal the adequacy of GSA’s search for records and may do so by following the instructions included on page 3 of this letter.

Category 2: Options Presented to the ISSO

Enclosed please find records responsive to the request for “the options as presented to the Information Systems Security Officer” in relation to a December 3, 2019, email from the ISSO regarding removal of registrant phone numbers and email addresses from the non-public extract. The enclosed file contains the full December 3, 2019, email thread.

Within the enclosed file, GSA has withheld certain information pursuant to 5 U.S.C. § 552(b)(5) because that information is deliberative and pre-decisional. In addition, GSA has withheld the email address of a certain individual and the cell phone numbers of other individuals pursuant to 5 U.S.C. § 552(b)(6) because release of that information would constitute a clearly unwarranted invasion of each individual’s personal privacy. As to each withholding, GSA considered the foreseeable harm standard, which was codified by the FOIA Improvement Act of 2016.

Because GSA has withheld certain information, GSA has technically denied the FOIA request in part. Instructions for appealing that partial denial are included on page 3 of this letter.

Category 3: Information Contained in the Non-Public Extract

As you are aware, the request for information contained in one of GSA’s non-public extracts is the subject of current litigation. See No. 22-3502 (D.D.C.). At this particular time, GSA continues to withhold the non-public extract pursuant to 5 U.S.C. § 552(b)(6). However, if GSA later decides that release is appropriate, the information requested will be provided to you as part of resolution of the litigation.

If you have any questions about the litigation, please contact the attorney handling that matter, Joshua Ontell, at Joshua.Ontell@usdoj.gov or (202) 252-7706.

Right to Appeal

Because GSA has withheld certain information, GSA has technically denied each FOIA request in part. Accordingly, you have the right to appeal that partial denial, and you may submit an appeal [online](#) or in writing to the following address:

U.S. General Services Administration
FOIA Requester Service Center (LG)
1800 F Street, NW
Washington, DC 20405

Your appeal must be postmarked or electronically transmitted within 90 days of the date of this response. In addition, your appeal must contain a brief statement of the reasons why the requested information should be released. Please enclose a copy of your initial request, as well as this letter. Both the appeal letter and envelope, or your online appeal submission, should be prominently marked, "Freedom of Information Act Appeal."

Points of Contact for Further Inquiries

This completes GSA's action on FOIA request numbers GSA-2022-000938 and GSA-2023-000183. Should you have any questions, you may contact the GSA FOIA Public Liaison, David Eby, at (202) 213-2745 or by email at david.eby@gsa.gov.

Further, you may contact the Office of Government Information Services ("OGIS") at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; email at ogis@nara.gov; telephone at (202) 741-5770; toll free at (877) 684-6448; or facsimile at (202) 741-5769.

Sincerely,

Theresa Ottery

Theresa Ottery
FOIA Program Manager
Office of the General Counsel
U.S. General Services Administration

Enclosure